

FIRST REGULAR SESSION

HOUSE BILL NO. 430

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHATZ.

0916H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 287.957, RSMo, and to enact in lieu thereof one new section relating to employer paid medical costs in the experience rating plan of workers' compensation insurance.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 287.957, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 287.957, to read as follows:

287.957. The experience rating plan shall contain reasonable eligibility standards, provide adequate incentives for loss prevention, and shall provide for sufficient premium differentials so as to encourage safety. The uniform experience rating plan shall be the exclusive means of providing prospective premium adjustment based upon measurement of the loss-producing characteristics of an individual insured. An insurer may submit a rating plan or plans providing for retrospective premium adjustments based upon an insured's past experience. Such system shall provide for retrospective adjustment of an experience modification and premiums paid pursuant to such experience modification where a prior reserved claim produced an experience modification that varied by greater than fifty percent from the experience modification that would have been established based on the settlement amount of that claim. The rating plan shall prohibit an adjustment to the experience modification of an employer if the total medical cost does not exceed [one thousand dollars] **twenty percent of the current split point of primary and excess losses under the uniform experience rating plan** and the employer pays all of the total medical costs and there is no lost time from the employment, other than the first three days or less of disability under subsection 1 of section 287.160, and no claim

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 is filed. An employer opting to utilize this provision maintains an obligation to report the injury
17 under subsection 1 of section 287.380.

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